IN THE HIGH COURT OF PUNJAB AND HARYRNA AT CHANDIGARH

C.O.C.P. No.1544 of 2005
Date of Decision:- 26.10.2006

Kailash Nath ....Petitioner

through
Mr.P.K.Gupta, Advocate

vs.

Surjit Singh ....Respondent

through
Mr.G.S.Cheema, Sr.DAG, Punjab

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT

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SURYA KANT, J.

The petitioner filed C.W.P.No.17557 of 2004 which was disposed of by this Court on March 16, 2005 with a direction to the Authority concerned to conduct a fresh inquiry into the allegations levelled agaisnt respondents No.4 to 6. It may be mentioned here that respondent Nos.4 to 6 in the above-stated writ petition are the Sarpanch and Panches of Gram Panchayat, Bhaura, Block Banga, Tehsil and District Nawanshahr.

Alleging non-compliance of the above-stated order, this contempt petition has been filed.

In reply to the show cause notice, an affidavit of Shri Sarvjit Singh, IAS, Ex-Director, Rural Development and Panchayats, Punjab has been filed. As per the averments made in the affidavit, pursuant to the directions issued by this Court, an inquiry was entrusted to the District Development and Panchayat Officer, Nawanshahr and on completion thereof, it has been found that the Sarpanch and Panches of the Gram Panchayat are guilty of unauthorizedly spending funds of Rs.30,000/-.

Consequently, an order to recover the said amount was passed against them and in this regard the recovery proceedings have been initiated by the BDPO, Banga vide assessment order dated 18.4.2006 (Annexure R1/T).

In this view of the matter, it appears that the directions issued by this Court have been substantially complied with. Accordingly this petition is disposed of with a direction to the BDPO, Banga to take immediate steps in accordance with law to effect the recovery of the amount in question. This, however, shall be subject to the right of respondents No.4 to 6 to impugn the said order before the appellate authority and/or any other appropriate forum, if so advised. The needful shall be done within two months from today.

Rule discharged.

October 26, 2006 **(SURYA KANT)**
poonam **JUDGE**